

SOLE DECLARATION FOR PATENT APPLICATION

As the below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name;

I believe that I am the original, first and sole inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled **METHODS FOR THE RAPID DETECTION AND ENUMERATION OF VIABLE MICROORGANISMS** the specification of which:

☐ is attached hereto.

☒ was filed on **September 4, 1998** as application number **09/148,491** and, if applicable, amended on _____.

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by my amendment referred to in this declaration.

I acknowledge the duty to disclose all information known to me to be material to the patentability of this application, as defined in 37 C.F.R. § 1.56.

Prior Foreign Application(s)

I hereby claim foreign priority benefits under Title 35, United States Code, §119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application(s) for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

Country	Application Number	Date of Filing (day, month, year)	Date of Issue (day, month, year)	Priority Claimed Under 35 U.S.C. 119
				Yes <input type="checkbox"/> No <input type="checkbox"/>

Prior United States Application(s)

I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) listed below, and insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, §1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

Application Serial Number	Date of Filing (day, month, year)	Status - Patented, Pending, Abandoned
60/057,657	5 September 1997	Abandoned

And I hereby appoint, both jointly and severally, as my attorneys with full power of substitution and revocation, to prosecute this application and to transact all business in the Patent and Trademark Office connected herewith the following attorneys, their registration numbers being listed after their names:

Jerry W. Mills, Registration No. 23,005; Rodger L. Tate, Registration No. 27,399; Scott F. Partridge, Registration No. 28,142; James B. Arpin, Registration No. 33,470; James Remenick, Registration No. 36,902; Laurence H. Posorske, Registration No. 34,698; Steven P. Klocinski, Registration No. 39,521; Eric Sinn, Registration No. 40,177; and Floyd B. Chapman, Registration No. 40,555.

All correspondence and telephone communications should be addressed to **Baker & Botts, L.L.P.; The Warner, Suite 1300; 1299 Pennsylvania Avenue, N.W.; Washington, D.C. 20004-2400; (202) 639-7700**, which is also the address and telephone number of each of the above listed attorneys.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Signature: James Thacker Date: Oct 1, 1998

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